

May 05, 2011

CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

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DEUTSCHE BANK NATIONAL
TRUST COMPANY

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

SACRAMENTO DIVISION

JAMES L. MACKLIN,
Debtor.

Chapter 7

Case No. 10-44610

JAMES L. MACKLIN,
Plaintiff,

Adv. Pro. No. 11-02024-E

Docket Control No.: RAB-002

v.

DEUTSCHE BANK NATIONAL
TRUST CO., AS INDENTURE
TRUSTEE FOR THE
ACCREDITED MORTGAGE
LOAN TRUST 2006-2 ASSET-
BACKED NOTES, et al.

**REQUEST FOR JUDICIAL NOTICE
IN SUPPORT OF DEFENDANT'S
REPLY TO AMENDED MOTION
TO DISMISS COMPLAINT FOR
FAILURE TO STATE A CLAIM
UPON WHICH RELIEF CAN BE
GRANTED**

Defendants.

Date: May 12, 2011
Time: 1:30 p.m.
Courtroom: 33
Judge: Hon. Ronald H. Sargis

1 TO PLAINTIFF JAMES L. MACKLIN AND HIS ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that Defendant Deutsche Bank National Trust Company
3 respectfully requests that the Court take judicial notice of the following facts. A court may take
4 judicial notice of facts that are not subject to reasonable dispute in that they are capable of
5 accurate and ready determination by resort to sources whose accuracy cannot reasonably be
6 questioned. Fed. R. Evid. 201. Accordingly, judicial notice is properly taken of matters of public
7 record, including pleadings, orders and other papers on file in the action or another action pending
8 in the court, as well as records and reports of administrative bodies. *See Intri-Plex Technologies,*
9 *Inc. v. Crest Group, Inc.*, 499 F.3d 1048, 1052 (9th Cir. 2007); 21 Charles Alan Wright &
10 Kenneth W. Graham, Jr., *Federal Practice & Procedure: Evidence* § 5106, at 505 (1st ed. 1977 &
11 Supp. 1997).

12 1. Corporate Assignment of Deed of Trust recorded November 30, 2009 as document
13 09-101918 in the Official Records of the County of Placer Recorder's Office. ("Corporate
14 Assignment"). A true and correct copy of the Corporate Assignment is attached as **Exhibit A** to
15 "Exhibit A in Support of Reply to Amended Motion to Dismiss".

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17 Dated: May 5, 2011

CARR, McCLELLAN, INGERSOLL,
THOMPSON & HORN
Professional Law Corporation

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21 By: /s/ Robert Bleicher
Robert A. Bleicher
Attorneys for Defendant
Deutsche Bank National Trust Company

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